

AGENDA
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, SEPTEMBER 3, 2002
COUNTY COMMISSIONERS CHAMBERS, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, August 27, 2002. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.ci.lincoln.ne.us>)

- 2) **PUBLIC COMMENT:** The public comment period is limited to thirty (30) minutes in duration and each speaker is limited to five (5) minutes. These time limits may be extended at the discretion of the County Board Chair. Comments shall be limited to items on the agenda.

- 3) **CLAIMS:** Approval of all claims processed through Tuesday, September 3, 2002.

- 4) **PUBLIC HEARINGS:** (Those people wishing to testify will be sworn in.)
 - A. Continuation of a public hearing regarding an application for a Class B (Beer Off Sale Only) and a Class M (Bottle Club) liquor license from Dustin and Nancy Duba d/b/a Dusty's Bar & Grill (formerly known as The Kramer Bar) located at 109 1st Street in Kramer, Lancaster County, Nebraska

- 5) **OLD BUSINESS:**
 - A. A contract with Justice Benefits, Inc. for grant writing services and professional assistance to the Lancaster County Corrections Department in making application and claim for eligible funding under the State Criminal Alien Assistance Program (SCAAP). The term of the agreement is a two year term from the date of execution for the following reporting periods: July 1, 2001 to June 30, 2002 with application in January, 2003 and for July 1, 2002 to June 30, 2003 with application in January, 2004. The County shall pay Justice Benefits, Inc. 22 percent of all revenue paid to the County for SCAAP as compensation. (C-02-0400)

**IF YOU ARE HERE TO PARTICIPATE ON AN ITEM AND NEED SPECIAL
CONSIDERATION BECAUSE OF A SCHEDULE CONFLICT OR SOME OTHER
PROBLEM, PLEASE LET THE CLERK KNOW PRIOR TO THE MEETING SO WE MAY
ACCOMMODATE YOUR NEEDS.**

5) **OLD BUSINESS CONTINUED:**

- B. An agreement with the State of Nebraska, Department of Roads to supply funding to the County's public transportation assistance program to provide state financial assistance to qualified eligible recipients. The State will provide assistance under the Federal Transit Act and the Nebraska Public Transportation Act for the operation of the project. The Federal share shall not exceed \$17,093 and the State share shall not exceed \$20,691. The County share shall be all remaining eligible operating costs not paid by those funds which is estimated to total \$20,691. The term of the agreement is July 1, 2002 to June 30, 2003. (C-02-0411)

6) **NEW BUSINESS:**

- A. An application for a Special Designated License from K-Sara Enterprises, located at 3540 Village Drive, to hold the Schlegelmilch reception on Saturday, September 21, 2002 from 5 p.m. to 1 a.m. at the Waverly Community Center, located at 11120 North 141st Street in Lancaster County, Nebraska.
- B. Grant contracts with the following:
- * Nebraska Legal Services, Inc., in the amount of \$28,200, for the Family Law program, from July 1, 2002 to June 30, 2003. (C-02-0418)
 - * Houses of Hope, Inc., in the amount of \$45,000, for the Transitional Residential Halfway House, from July 1, 2002 to June 30, 2003. (C-02-0419)
 - * Madonna Rehabilitation Hospital, in the amount of \$7,500, for the Medical Transportation Project, from July 1, 2002 to June 30, 2003. (C-02-0420)
 - * Peoples City Mission, in the amount of \$35,000, for the Family/Women's Shelter program, from July 1, 2002 to June 30, 2003. (C-02-0421)
 - * Saint Monica's, in the amount \$60,000, for the Therapeutic Community program, the Female Adolescents program and the Day Treatment Services program, from July 1, 2002 to June 30, 2003. (C-02-0426)
 - * Heartland Big Brothers/Big Sisters, in the amount of \$10,000, for the Mentoring program, from July 1, 2002 to June 30, 2003. (C-02-0440)
- C. An agreement with the Board of Regents of the University of Nebraska, the Lincoln Housing Authority and Lancaster County Cooperative Extension for the establishment and operation of the Nutrition Education Program (NEP) which is intended to address the nutritional needs of certain limited income persons living in urban housing in Lancaster County. The term of the agreement is September 1, 2002 to August 31, 2003. The County shall pay \$14,005 for the services which will be provided by the University. The Housing Authority will also pay \$14,005 for the service. (C-02-0423)
- D. A contract with Child Guidance Center for case management services for the Juvenile Detention Center which shall include coordination of meetings and transitional services, beginning July 1, 2002 and ending June 30, 2003. The County will pay up to \$53,000 for the services. (C-02-0424)

6) **NEW BUSINESS CONTINUED:**

- E. Interlocal agreements relating to detention services between the Lancaster County Juvenile Detention Center and Otoe, Johnson, Cass, Jefferson, Saunders, Polk, Dawson, Nemaha and Buffalo counties. The contracts become effective upon execution of both parties and may be terminated upon giving 30 days written notice of termination. The County shall be paid \$200 per youth for each day the youth is housed at the Juvenile Detention Center. (C-02-0427 through C-02-0435)
- F. An interlocal agreement with the City of Lincoln for medical services, 24 hours per day, seven days per week at the Juvenile Detention Center. The medical services include, but are not limited to, physician and nurse. The term of the agreement is July 1, 2002 to June 30, 2003. The County shall pay the following rates for the services: (C-02-0437)
- * A single monthly fee of \$591.84 per month for round the clock availability of professional services
 - * A sum of \$44,700, payable in 12 monthly payments of \$3,725 payable for one FTE (full-time employee) registered nurse services provided for under this agreement
 - * A sum of \$10,290 for part-time, on-call registered nurse services
 - * \$74.86 per physician's visit to the Detention Center
 - * \$8.01 per telephone conversation with physician
 - * Physical examination/assessment completed at actual cost
 - * \$35 per dose of Hepatitis B vaccine for each employee
 - * \$10 for tuberculosis test of each employee
 - * \$20 employment assessment for each employee
 - * \$40/hour for on-site lab services by a lab technician. Payment shall be made to the Lincoln-Lancaster County Health Department (LLCHD) on a monthly basis following receipt of signed and itemized monthly billing statements which shall specify the names of the patients who were tested, examined and/or treated, and/or the name of the Detention Center staff who received tuberculosis tests, Hepatitis B inoculations or employment assessments, as well as dates and charges thereof
 - * Should the County Attorney's Office require conferences, meetings, or in-court testimony of nurses, it shall be billed to the County at the rate of \$42.50 per hour
 - * Should the County Attorney's Office require conferences, meetings, or in-court testimony of physicians, it shall be billed to the county at the rate of \$74.86 per hour
- G. Interlocal Cooperative Agreement with the State of Nebraska Department of Health and Human Services to provide behavioral health services to high need youth who are wards of the State of Nebraska residing in Lancaster County. The County will serve up to 191 state ward youths at any one time. The term of the agreement is July 1, 2002 to June 30, 2003. The County will be paid \$2,360 per youth served in the program. The County shall also be paid \$77,486 per month for the first three months of the agreement and \$50,000 per month for October and November which shall be used to prepare for the acceptance of youth into the system. (C-02-0439)

6) **NEW BUSINESS CONTINUED:**

- H. An amendment to County contract C-02-0052 with Lutheran Family Services of Nebraska, Inc. for the provision of substance abuse services to adult males which may include intensive outpatient services for the Lancaster County Adult Drug Court. The amendment provides for automatic renewal for successive subsequent one year terms unless terminated as provided in the agreement. The initial term was July 1, 2001 to June 30, 2002. (C-02-0422)
- I. An amendment to an intergovernmental memorandum of agreement, executed under County contract C-01-21, for the provision of contracting for and monitoring the community based residential and non-residential evaluations for youth of the Southeast Service Area for the Nebraska Department of Health and Human Services. The amendment extends the term of the agreement until June 30, 2003 and provides for reimbursement to the County at a rate of \$1,140 per evaluation for 432 evaluations totaling \$492,480. (C-02-0425)
- J. An addendum to an agreement with the Lancaster County Deputy Sheriff's Association, Fraternal Order of Police, Lodge 29, to decrease the County's contribution to the Post Employment Health Plan (PEHP), effective the pay period beginning August 22, 2002. (C-02-0438)
- K. A resolution in the matter of instituting eminent domain proceedings; Project C-55-J-409(1), Tract 33. (R-02-0099)
- L. Payment to Cheever Construction in the amount of \$20,000 for the Juvenile Detention Facility.
- M. Reappointment of Bob Workman to the Nebraska Association of County Officials Board of Directors. The term is for two years, beginning January 1, 2003.
- N. A political subdivision tort claim filed against the Lancaster County Corrections Department by Adam James Nesbitt for lost property, in the amount of \$9 to \$10.

7) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

- A. Receive and Place on File:
 - 1. Sheriff's Report of Fees for July, 2002.
 - 2. Lincoln City Libraries Director's Report for July, 2002.
- B. Setting of a public hearing for Tuesday, September 10, 2002 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building to set the final tax requests for Lancaster County and the Rural Library.

7) **CONSENT ITEMS CONTINUED:**

- C. Setting of public hearings for Tuesday, September 17, 2002 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding the following:
1. County Special Permit 193, Lakewood Hills Community Unit Plan, requested by Lyle Loth of ESP, on behalf of Robert E. Lookabaugh, consisting of five single family acreage residential lots and two outlots, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska.
 2. County Preliminary Plat 02006, Lakewood Hills, requested by Lyle Loth of ESP, on behalf of Robert E. Lookabaugh, consisting of five single family acreage residential lots and two outlots, with requests to waive street trees, street lighting, landscape screens, sidewalks, block length and street frontage, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska.
- D. Setting of a public hearing for Tuesday, October 1, 2002 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding an application for Corporate Manager for Teri L. Ernisse and a Class B (Beer Off Sale Only) and a Class M (Bottle Club) liquor license for Chace Enterprises, Inc. d/b/a Silver Spoke Saloon, located at 1400 Saltillo Road, Roca, Lancaster County, Nebraska.
- E. A resolution authorizing the installation of a "School Bus Stop Ahead" sign for eastbound traffic in advance of the Rick Schneider residence located 12900 West "A" Street. (The sign was requested by the Milford School District.) (R-02-0096)
- F. A resolution in the matter of an application for Corporate Manager for Lorin Kilian Dagel in connection with a Class K (Wine Off Sale Only) and a Class M (Bottle Club) liquor license held by Firethorn Investments d/b/a Firethorn Golf Club, located at 9301 Firethorn Lane, Lincoln, Lancaster County, Nebraska. (R-02-97)
- G. A resolution in the matter of an application for Corporate Manager for Roy G. Dickson in connection with a Class M (Bottle Club) liquor license held by Corporate Golf Marketing d/b/a Yankee Hill Country Club, located at 7600 San Mateo Lane, Lincoln, Lancaster County, Nebraska. (R-02-0098)
- H. A right-of-way contract relating to culvert construction between the Lancaster County Engineering Department and Dennis and Lorrie Adams, in the amount of \$228, south of West Rock Creek Road; Project C.P.C-168. (C-02-0436)

8) **EMERGENCY ITEMS AND OTHER BUSINESS:**

9) **PENDING:**

- A. Comprehensive Plan Amendment 27b, 1998 Comprehensive Plan Annual Review, requested by Peter Katt for Steve Champoux, to revise the Land Use Plan to change 124 acres from Agricultural to Low Density Residential at the northwest corner of 134th and "A" Streets in Lancaster County, Nebraska. (1998937)
- B. County Change of Zone 147, requested by Peter Katt for Steve Champoux, from "AG" Agricultural to "AGR" Agricultural Residential on property located at the northwest corner of 134th and "A" Streets in Lancaster County, Nebraska. (1998938)

10) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, September 5, 2002 at 8:15 a.m. in Room 113 on the first floor of the County-City Building.
- B. A public hearing will be held on Tuesday, September 3, 2002 at 5 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding the proposed Lancaster County Budget for Fiscal Year 2002-2003. Adoption of the budget will take place at the County Board's Staff Meeting to be held on Thursday, September 5, 2002.
- C. Public hearings will be held on Tuesday, September 10, 2002 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding the following:
 - 1. Application of the Lancaster County Zoning Regulations and Permit Requirements to non-farm dwellings, pursuant to Neb. Rev. Stat. §23-114.03.
 - 2. County Change of Zone 208, from AG Agricultural to R Residential, requested by W. Scott Hayman on behalf of Roger D. Hayman, on property generally located at South 96th Street and Panama Road in Lancaster County, Nebraska.
- D. A public hearing will be held on Tuesday, September 17, 2002 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding an application for Corporate Manager for George Daniel Killham and a Class B (Beer Off Sale Only) and a Class M (Bottle Club) liquor license from Fosters Tap, Inc. d/b/a Fosters Tap located at 24049 South 12th Street in Princeton, Lancaster County, Nebraska.
- E. The Lancaster County Board of Commissioners meeting which is broadcast live at 1:30 p.m. on Tuesdays will be rebroadcast tonight at 6:30 p.m. and again on Saturday afternoon immediately following the City Council meeting rebroadcast on 5 City-TV, Cable Channel 5. In addition, this meeting may be viewed on the Internet 24 hours a day at www.ci.lincoln.ne.us. Click on 5 City-TV Video On Demand.

11) **ADJOURNMENT:**

This agenda, which is kept continually current, is available for inspection in the office of the County Clerk in Lancaster County, Nebraska.

NOTE: Interpreters for the hearing impaired are available at the meetings of the County Board upon request. Please contact the County Clerk's Office at 441-7481 at least 48 hours prior to the meeting if this accommodation is required, or if you have any other special communication needs requiring assistance. Telex Sound Masters are also available for audio enhancement during the meeting.

The Board of Commissioners Agenda and Minutes may be accessed on the Internet at: <http://www.ci.lincoln.ne.us> on the County Clerk's website.

AGENDA
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, SEPTEMBER 3, 2002
COUNTY COMMISSIONERS CHAMBERS, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING

IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS MEETING

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, August 27, 2002. (A copy of these minutes is on file in the office of the Lancaster County Clerk.)

- 2) **PUBLIC COMMENT:** The public comment period is limited to thirty (30) minutes in duration and each speaker is limited to five (5) minutes. These time limits may be extended at the discretion of the County Board Chair. Comments shall be limited to items on the agenda.

- 3) **ADDITIONS AND DEDUCTIONS:**

Approval of 35 additions and deductions to the tax assessment rolls per Exhibit A.

- 4) **MOTOR VEHICLE TAX EXEMPTIONS:**

Lincoln Lutheran School Association
Sisters of Mary Queen of Mercy

- 5) **NOTICE OF VALUATION CHANGE:**

Setting of public hearings for Tuesday, September 17, 2002, immediately following the regular Board of Commissioners meeting, in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building for notice of valuation change for omitted or undervalued property for the following:

Hartland Homes Inc.
Hilltop Foundation (4 notices)
Nancy K. Peters and John R. Steinberger
SBA Tower
Saint John's Reformed Church

- 6) **ADJOURNMENT:**

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